IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 4850 of 2007(B)

PETITIONER:

CHANDROTH PONNAN MOOSA, S/O. ABDULLA,
CHOYIKANDI HOUSE, P.O.EAST KADIRUR,
THALASSERY, KANNUR DISTRICT.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

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1. UNION OF INDIA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
MINISTRY OF HOME AFFAIRS, NEW DELHI.

2. THE COMMISSIONER & SECRETARY TO GOVT.,
HOME (SSB) DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE SUPERINTENDENT OF POLICE,
KANNUR DISTRICT.

4. THE SUB INSPECTOR OF POLICE,
KADIRUR POLICE STATION, THALASSERI.

BY ADV. SRI.M.SANTHOSH KUMAR, CGC
GOVERNMENT PLEADER SRI.BENJAMIN PAUL
SRI.JOHN VARGHESE, ASST.S.G.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBIT:

P1 MARRIAGE CERTIFICATE ISSUED BY THE KHAZI, KADIRUR JAMA-ATH TO THE PETITIONER.

P2 ADMISSION REGISTER OF EAST KADIRUR U.P. SCHOOL ISSUED TO THE PETITIONER'S SON SAMEER C.K.

P3 ADMISSION REGISTER OF EAST KADIRUR UP SCHOOL ISSUED TO THE PETITIONER'S SON SAYIDU, CHOYI KANDI.

P4 ADMISSION REGISTER OF EAST KADIRUR U.P. SCHOOL ISSUED TO THE PETITIONER'S DAUGHTER MAYAMOONATH C.K.

P5 ADMISSION REGISTER OF EAST KADIRUR UP SCHOOL ISSUED TO THE PETITIONER'S DAUGHTER SHAREEFA.

P6 PETITION DATED 1.2.07 UNDER SECTION 9(2) OF THE CITIZENSHIP ACT SUBMITTED BY THE PETITIONER BEFORE R1.

TRUE COPY

P.A. TO JUDGE

S. SIRI JAGAN, J.

W.P.(C)NO.4850 OF 2007

DATED THIS THE 12th DAY OF JUNE, 2007

JUDGMENT

The petitioner claims to be a former citizen of India having been born to Indian parents at East Ponniam in Thalassery Taluk in Kannur District. However, he was forced to denounce the citizenship of the country and become a citizen of Pakistan. Now the petitioner is aged 71 years and he wants to join his wife and parents in Kerala. Accordingly, he has come to Kerala. However, the respondents seek to deport him. In the above circumstances, the petitioner submitted Ext.P6 petition before the Government of India stated to be under Section 9(2) of the Citizenship Act. The petitioner seeks a direction to the 1st respondent to consider and dispose of Ext.P6 and not to deport him in the meanwhile.

2. I have heard the learned counsel for the petitioner, the learned Asst. Solicitor General as also the learned Government pleader.

3. In the facts and circumstances of the case, there would be a direction to the 1st respondent to consider and pass appropriate orders on Ext.P6 as expeditiously as possible, at any rate, within two

months from the date of receipt of a copy of this judgment. Till orders are passed, the interim order dated 13.2.07 passed by this Court shall continue to be in force.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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